



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4721

**Type:** Staff Briefing - Without Ordinance

**In control:** Planning Commission

**On agenda:** 8/22/2018

**Title:** TPV 18-009: Variance Request by Mr. David Wanders for approval of a tree preservation variance request from Unified Development Code 35-523 (h), "significant trees shall be preserved at eighty (80) percent and heritage trees at one hundred (100) percent preservation within both the 100-year floodplains and environmentally sensitive areas", generally located southeast of the intersection of Culebra Road and Galm Road. Staff recommends Approval. (Herminio Griego, (210) 207-6042, [herminio.griego@sanantonio.gov](mailto:herminio.griego@sanantonio.gov), Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Application, 2. Analysis, 3. Letter, 4. Exhibit

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Development Services

**SUBJECT:** TPV 18-009 Tree Preservation Variance for QT #4008 Project

### SUMMARY:

Request by Mr. David Wanders for approval of a tree preservation variance request from Unified Development Code 35-523 (h), "significant trees shall be preserved at eighty (80) percent and heritage trees at one hundred (100) percent preservation within both the 100-year floodplains and environmentally sensitive areas", generally located southeast of the intersection of Culebra Road and Galm Road. Staff recommends Approval. (Herminio Griego, (210) 207-6042, [herminio.griego@sanantonio.gov](mailto:herminio.griego@sanantonio.gov) <<mailto:herminio.griego@sanantonio.gov>>, Development Services Department)

### BACKGROUND INFORMATION:

Project A/P# 2334753  
Council District: Outside City Limits  
Consultant: Joshua Valenta P.E. of Matkin Hoover Engineering  
Staff Coordinator: Herminio Griego, Assistant City Arborist, (210) 207-6042

### ANALYSIS:

The Development Services Department (DSD) has reviewed the information presented in Mr. David Wanders' letter dated July 17, 2018.

The Unified Development Code (UDC) - Article V, Section 35-523 (h), 100-Year Floodplain(s) and Environmentally Sensitive Areas states that, "Significant trees shall be preserved at eighty (80) percent preservation within both the 100-year floodplains and environmentally sensitive areas. Heritage trees shall be

preserved at one hundred (100) percent preservation within both the 100-year floodplain and environmentally sensitive areas. Mitigation shall be prohibited in floodplains and environmentally sensitive area except when a variance is granted by the Planning Commission.”

The applicant is requesting a Variance Request to mitigate for removal of significant trees in excess of the 80% preservation requirements within both the 100-year floodplain and environmentally sensitive area in place under the 2010 Tree Preservation Ordinance for construction of QuikTrip #4008 project. DSD staff does agree with the applicant’s request to mitigate for significant below 80% for the following reasons:

1. *Existing site conditions* - Due to existing site conditions, design and layout constraints, the project is unable to preserve the minimum 80% of significant trees within both the 100-year Floodplain and Environmentally Sensitive Area (ESA). One of the hardships on the property is the locations and number of significant trees within the 100-year floodplain and ESA areas. The floodplain and ESA consumes much of the property which is located on the hard corner of the intersection of Culebra and Galm Road. In order to develop the hard corner and contiguous acreage along Culebra, the significant trees will need to be removed and the floodplain filled per FEMA’s future approval. Without removing the significant trees or relocating/filling the floodplain, the property and contiguous acreage are unlikely to ever develop due to the inability to obtain access to the site. Currently there is total of 72 inches of significant trees existing within the 100-year floodplain. Post development there will be 0 inches (0%) of significant trees preserved within the 100-year floodplain. Within the ESA, there is currently a total of 50 inches of significant trees. There is one heritage trees located within the ESA that will be preserved. Post development there will be 10 inches (20%) of significant trees preserved within the ESA. Required mitigation for these categories includes: 58 inches for significant trees within the 100-year floodplain and 30 inches for significant trees within the ESA.
2. *Tree mitigation and canopy diversity* - The project will exceed the required mitigation of 88 inches by planting (22) - 6 inch caliper native medium to large shade trees for a total of 132 inches planted back onsite. The proposed planting plan provides added species diversity to include native medium and large shade tree species per Appendix E “San Antonio Recommended Plant List.” Trees proposed to be planted for mitigation include: Shumard Red Oak, Live Oak, Cedar Elm and Texas Ash. The 22 trees that will be planted for mitigation requirements, along with the existing tree canopy preserved, will, at maturity, provide 34,055 square feet of canopy cover which is 6,678 square feet more than required.

DSD staff supports the applicant’s request to fall below 80% of significant tree preservation requirements within both the 100-year Floodplain and Environmentally Sensitive Area (ESA) based on the conditions of the site, design constraints, and exceeding mitigation and canopy requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.